

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,)
)
Plaintiff,) Cr. No. 01-30089-HO
)
) Cv. No. 05-3029-HO
)
v.) ORDER
)
HILDA AGUILAR,)
)
Defendant.)
)

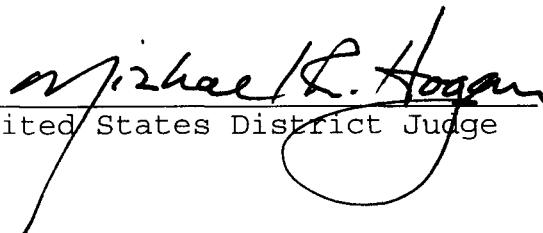
Defendant pleaded guilty to distribution of a methamphetamine. On July 3, 2002. The court sentenced defendant to 120 months incarceration. Defendant sought to vacate or correct her sentence pursuant to 28 U.S.C. § 2255. The court denied the petition on March 9, 2005. Defendant has now filed a "memorandum of law in support of successive 28 U.S.C. § 2255." However, Defendant must obtain authorization from the Ninth Circuit to file a second

petition pursuant to 28 U.S.C. § 2244. This court lacks jurisdiction over the petition. See United States v. Allen, 157 F.3d 661, 664 (9th Cir. 1998). Accordingly, defendant's petition is denied.

CONCLUSION

For the reasons stated above, defendant's "memorandum of law in support of successive 28 U.S.C. § 2255" (#144) to the extent it is a motion to vacate or correct sentence pursuant to 28 U.S.C. § 2255 is denied and this proceeding is dismissed.

DATED this 6th day of June, 2005.



United States District Judge